

**Advisory Committee on Juvenile Justice
Meeting Minutes**

January 30, 2008

Approved: August 13, 2008

The official business meeting of the Advisory Committee on Juvenile Justice was held at the Henrico County Library – Gayton Branch, 10600 Gayton Road, Richmond, VA 23238.

Committee Members Present

Benjamin Andrews
Kevin Appel
Jane Brown, Proxy for Anthony Conyers
Cindy Cave, Proxy for Dr. Cannaday, Jr.
Kenneth Bynum
The Hon. Warner D. (Dave) Chapman
Peter Feddo
Lynette Greenfield, Proxy for Barry Green
Eileen Grey
Andrew Jennings
Malcolm King for Janet Lung, Proxy for Dr. Reinhard
Charles Martin
Robert E. Shepherd, Jr.
The Hon. Michael W. Stewart
Antonio Sutton
Wayne Thomas
Mark Turnbull
Ruby G. Turner
Gina E. Wood

Committee Members Not Present

The Hon. Robert B. Bell
Roberto Calderon
Mark Cranfill
Monica Estrada
The Hon. Jerrauld Jones
Dr. Jay W. Malcan
Chief Rodney D. Monroe
The Hon. Charles Phelps
The Hon. Linda T. Puller

DCJS Staff Present

Demian Futterman
Laureen Hyman
Tracey Jenkins
Laurel Marks
Curtis Stevens

Others Present

Katharine Hunter, DMHMRSAS

I. Welcome, Call to Order and Introductions

The meeting was called to order by the Chair, Mr. Charles Martin. All present introduced themselves to the group.

II. Review and Approval of Minutes

Mr. Martin asked if there were any comments, additions or deletions to be made to the minutes from the November 30, 2007, meeting of the ACJJ. Mr. Kevin Appel made a motion to approve the minutes. The motion was seconded and approved unanimously.

III. Data Presentation

Ms. Tracey Jenkins gave a data presentation to the group on Juvenile Arrest Data from 2003-2006. Ms. Eileen Grey asked if Ms. Jenkins could continue to pull other specific offenses out of the data so the ACJJ could see where arrests for crimes that aren't status offenses are trending.

IV. Compliance Monitoring Report

Mr. Curtis Stevens gave a summary of the Annual Compliance Monitor's Report for 2007 which was completed and submitted to OJJDP. Listed below are items of interest from that report:

- Virginia's Monitoring Universe now consists of approximately 196 facilities, which include 24 detention centers, 7 juvenile correctional centers, 77 adult jails, 68 law enforcement lockups, and about 20 court holding facilities.
- During the monitoring period which ran from July 1, 2006 to July 1, 2007 there were 36 DSO violations reported at the juvenile detention centers. These included 26 cases in which juveniles were sentenced to detention for the Possession of Alcohol. The remaining cases were for CHINS, CHINS Supervision and Truancy. Mr. Stevens also reported the detention of 35 federal wards, which were held for over 24 hours. This put our total number of DSO violations at 71 for the monitoring period. Although we are in compliance in this area, there are concerns relating to the number of youth who are being detained for the possession of alcohol. This caused an increase in the number of DSO violations this year and should this trend continue there is a possibility that we could have compliance problems.
- For the 2007 monitoring period I reported 7 Jail Removal violations. These were in seven different jail facilities.
- In the area of Sight and Sound Separation, Virginia reported 8 Sight and Sound violations in our annual compliance report. This was the total number of youth who were held at Oak Ridge Juvenile Correctional Center during the monitoring period who were over the age of 18.5 and who had been sentenced in a circuit court. Virginia has decided that Oak Ridge is the best place for these youth who have special needs and the treatment options are only available at this facility.
- To give you some idea as to how we have done this past year in comparison to the previous two years:

| | 2007 | 2006 | 2005 |
|----------------------------|-------------|-------------|-------------|
| DSO Violations | 71 | 48 | 68 |
| Jail Removal Violations | 7 | 4 | 6 |
| Sight and Sound Violations | 8 | 30 | 146 |

Ms. Greenfield brought up the issue of underage possession of alcohol offenses and asked that the committee consider this in future reporting. The question was raised as to whether or not there is a possibility of the issue being addressed during this legislative session. Ms. Marks

responded that there is a possibility that this issue will be revisited with OJJDP as a status offense as it seems to be a matter of interpretation as to whether this meets the definition of a status offense.

V. Review of Recommendations of Government Relations Subcommittee

Mr. Martin reviewed the recommendations of the subcommittee with the full committee.

The Government Relations Subcommittee recommended supporting HB536, SB610, HB1519, HB1258, HB1207, SB44, HB1131/SB315, and HJ113. The motion was seconded and approved unanimously.

The Government Relations Subcommittee recommended supporting the following bills with suggestions to amend: HB589 (support the inclusion of carnal knowledge as an act sufficient as a Class 1 Misdemeanor, but oppose the language that would make the actions of the victim a Class 3 Misdemeanor), HB 1290 (victims should not be required to participate in Restorative Justice programs if they do not wish to do so). The motion was seconded and approved, Ms. Grey opposed.

The Government Relations Subcommittee made the motion to oppose the following bills: HB104, HB527, SB590, HB438, HB719, SB507, HJ160 the motion was seconded and approved unanimously.

Regarding HB606, the Government Relations Subcommittee recommended taking no position, but to urge that best practices be adopted. A policy statement was recommended. If the recording of interviews in all cases of custody were mandated, the process could be hampered. Rather than mandating for everyone, best practices should be adopted and this should be an objective or goal. It must; however, be recognized that not all may be able to achieve this goal.

Mr. Dave Chapman made a motion that we take no position on HB606 with the policy recommendation that we strongly urge as a best practice in the cases of violent juvenile felonies, the electronic recordation of custodial interrogations that take place at places of detention. The motion was seconded and approved unanimously.

It was determined that the focus of the remaining bills was not relevant to the mission of the Advisory Committee on Juvenile Justice.

The subcommittee made the motion that the position for the remaining bills (HB93/SB634, HB410/SB553, HB591, HB624, HB1426, SB337, SB472, HB496, HB31/HB1510, HB590, HB1182, HB1254, HB1400, SB222, SB732, HB1568, SB16, SB18, HB782, HB815, HB1517, SB97, HB209, HB1263, HB740, SB601, HJ107, HJ179, SJ42, SJ45, SJ46, SJ77, SJ90) be No Position. The motion was seconded and approved unanimously.

HB 1254 – Ms. Greenfield noted that the Department of Juvenile Justice (DJJ) supports this bill with its amendment.

Access to Representation

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|---|--|------------------------|
| HB 93 (Moran) SB 634 (Ticer) | Supplementing compensation of public defenders. Permits counties or cities that have public defender offices to supplement, payable from their own funds, the compensation of the public defender or his deputies or employees in excess of the compensation fixed by the executive director of the Virginia Indigent Defense Commission. | No Position |

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|------------------------------------|--|--------------------|
| HB 410 (Griffith) SB 553 (Hurt) | Appointment of counsel; indigent defendants. Maintains the current provision, due to expire on July 1, 2008, that if there is no attorney reasonably available who is on the list maintained by the Indigent Defense Commission, the court may appoint an appropriately trained and experienced attorney not on the list and must notify the Commission of the appointment. The bill also clarifies that when the public defender is unable to represent the defendant due to a conflict of interest or the court finds that the appointment of other counsel is necessary to attain the ends of justice, the appointment shall be from the list maintained by the Commission. | No Position |
| HB 536 (Peace) SB 610 (Stolle) | Compensation of court-appointed counsel; juvenile offenders. Provides that court-appointed counsel who are appointed to defend a juvenile in district court for an offense that would be a felony if committed by an adult may request a waiver on the compensation cap up to certain specified amounts depending on the charges being defended when the effort expended, the time reasonably necessary for the particular representation, the novelty and difficulty of the issues, or other circumstances warrant such a waiver. The maximum amounts of the waivers allowed are fixed at the level of the compensation cap for defending adults of the same crimes in circuit court. | Support |
| HB 591 (Marsden) | Advisement of right to counsel; determination of indigency; probation officers. Removes probation officers and other court services staff from the list of persons who are permitted to advise a child of his right to counsel in cases in which the child is alleged to be in need of services, in need of supervision, or delinquent and from the list of persons who are permitted to advise a parent or guardian of his right to counsel in cases in which a child is alleged to be abused or neglected or at risk of abuse or neglect or in which a parent could be subjected to the loss of residual parental rights. The bill also provides that probation officers and other court services staff are not responsible for determining whether or not parties who request court-appointed counsel are indigent. | No Position |
| HB 624 (Miller) | Criminal procedure; interpreter appointed for non-English-speaking defendant. Provides that the cost for such interpreter shall be borne by a defendant who is convicted at trial of the criminal offense. | No Position |
| HB 1426 (Griffith) | Recording courtroom proceedings; juvenile and domestic relations district court. Provides that proceedings in juvenile and domestic relations district courts may be recorded verbatim by a court reporter or by mechanical or electronic devices. | No Position |
| SB 337 (Cuccinelli) | Recording courtroom proceedings. Provides that proceedings in general and juvenile and domestic relations district courts may be recorded verbatim by a court reporter or by mechanical or electronic devices. The bill also provides that the proceedings in misdemeanor cases may be recorded in the same manner. The bill also imposes a fee of \$50 upon any party who uses mechanical or electronic devices provided by the court to make a verbatim recording of the evidence and incidents of a trial or proceeding in both circuit and district courts. The fee shall be retained locally and paid into a special fund for the purpose of repairing, replacing, or supplementing such devices or to pay for the purchase price of such devices or for renovations to the courtroom necessary for the use of such devices. | No Position |

Confinement/Facilities

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|----------------------|---|--------------------|
| HB 1519 (Marsden) | Juveniles; ages 11 through 13; released to detention home. Provides that a juvenile between the ages of 11 and 13 who would ordinarily be punished for certain offenses in a correctional facility, may be released to a detention home or other juvenile facility if the operator of such facility notifies the court that they are capable and willing to accept juveniles between those ages. | Support |
| SB 472 (Hanger) | Licensure of group homes and residential facilities for children. Eliminates provisions requiring the Department of Education and the Department of Mental Health, Mental Retardation and Substance Abuse Services to regulate group homes and residential facilities for children. This bill requires the Department of Social Services to regulate group homes and residential facilities for children, requires the Department of Education to regulate educational programs and the Department of Mental Health, Mental Retardation and Substance Abuse Services to regulate mental health, mental retardation or substance abuse services offered in group homes and residential facilities for children licensed by the Department of Social Services. | No Position |

Gangs/Gang Related Information

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|--|--|--------------------------------|
| HB 496 (Cosgrove) | Crimes; the definition of "predicate criminal act" under the Crimes by Gangs Act. Includes within the definition the shooting at certain vehicles (§18.2-154) and the shooting within an occupied dwelling (§18.2-279). | No Position |
| HB 531 (Mathieson) HB 1510 (May) | Gang-related criminal information. Requires law-enforcement agencies to forward gang-related criminal information to the Department of State Police for inclusion in the annual Crime in Virginia report. | No Position |
| HB 589 (Marsden) | Hazing and gangs; penalty. Provides that voluntarily submitting to hazing as a part of gang initiation is a Class 3 misdemeanor and that engaging in an act of carnal knowledge with the subject of such hazing is a Class 1 misdemeanor. | Support With Amend-ment |
| HB 590 (Marsden) | Crimes by gangs; predicate criminal act. Adds to the list of predicate criminal acts the simple larceny of a motor vehicle. | No Position |
| HB 1182 (Lingamfelter) | Grand larceny as a predicate criminal act for gang membership. Adds grand larceny to the list of predicate criminal acts upon which gang participation is predicated | No Position |

Juvenile Interrogation

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|-----------------------|--|---|
| HB 606 (Eisenberg) | Recording of interrogations of juveniles. Requires that statements made by a juvenile criminal defendant accused of committing a violent juvenile felony are to be electronically recorded and that failure to record such statements shall be a factor to be considered by the court re-admissibility. | No Position (But ask that Best Practices be Adopted) |

Juvenile Records/Sex Offender Registry

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|---------------|--|---------------|
| HB 104 (Rust) | Driving without a driver's license; penalties. Provides that any person charged with driving without having first obtained a valid driver's license shall | Oppose |

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|----------------------|--|-------------|
| | be placed under arrest and shall have his fingerprints and photograph taken. Additionally, the person's vehicle is to be impounded for 30 days. | |
| HB 527 (Pogge) | Retention of fingerprints of juveniles given deferred disposition in a criminal case. Requires that fingerprints of a juvenile whose criminal charges are deferred and dismissed be sent to and retained by the Central Criminal Records Exchange. Currently such fingerprints are retained only upon a finding of delinquency or guilt. | Oppose |
| HB 1254 (Marsden) | Juvenile records; confidentiality. Allows the Department of Juvenile Justice to share with law enforcement the information of a juvenile, without request, if the Department reasonably believes that it would aid in a criminal investigation involving a predicate criminal act or a criminal street gang as those terms are defined in § 18.2-46.1. Also, the bill provides that when such information is exchanged, it shall not include identifying information of the juvenile. | No Position |
| HB 1258 (Marsden) | Expungement of juvenile records. States that when a clerk destroys records pursuant to a juvenile record expungement, he shall obtain an order requiring all law-enforcement agencies, social services offices, correctional facilities, and Commonwealth attorneys' offices to destroy their records as well. Also the bill requires the CCRE to notify federal criminal justice agencies of the expungement and clarifies that a circuit court may be the court required to expunge records in certain cases. | Support |
| HB 1400 (Pogge) | Disclosure of minor's drug test results. Provides that a minor shall not be deemed an adult for the purpose of consenting to a drug test when the minor is not receiving outpatient care, treatment or rehabilitation for substance abuse and that a parent, legal guardian or person standing in loco parentis may obtain the results of a minor's drug test. | No Position |
| SB 222 (McDougle) | Possession of firearms by persons who committed felonies while juveniles. Provides that despite the date of his conviction, a juvenile adjudicated delinquent of certain heinous felonies shall not, when he reaches the age of 29 years, be entitled to possess a firearm. Currently, the prohibition on possession after the age of 29 exists only for juvenile felonies committed on or after July 2005. | No Position |
| SB 590 (Howell) | Sex offenders; registration; penalty. Makes various amendments addressing the Sex Offender and Crimes Against Minors Registry including what crimes require registration, the effect of a failure to register or reregister, the effect of providing false information or failing to provide registration information, and the procedures to petition for removal of a name from the Registry to ensure that Virginia law complies with the federal Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. § 16901 et seq.). | Oppose |
| SB 732 (Smith) | Reports of Class 1 misdemeanors to school authorities. Provides that local law-enforcement authorities shall report to the school division superintendent and to the principal or his designee all offenses, wherever committed, by students enrolled in the school if such offense would be a Class 1 misdemeanor if committed by an adult. | No Position |

Juvenile Transfers

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|---------------------|--|----------|
| HB 1207 (Melvin) | Serious juvenile offenders. Allows a juvenile convicted as an adult and sentenced to an active term of incarceration with the Department of Juvenile Justice and followed by an active term of incarceration with the | Support |

| | | |
|--------------------------------|--|------------------------|
| | Department of Corrections to gain earned sentence credits while serving the juvenile portion of the sentence in a juvenile correctional center. | |
| HB 1568 (Morrissey) | Transfer of juveniles to circuit court; appeal. Clarifies that when a decision to transfer a juvenile from a court not of record to a court of record is made, the decision is subject to a de novo review on appeal. | No Position |

Mental Health

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|----------------------------|---|------------------------|
| SB 16 (Edwards) | Crisis intervention pilot programs for persons with mental illness. Permits the Department of Criminal Justice Services to establish crisis intervention team pilot programs in areas of the state by January 1, 2009. The crisis intervention team pilot programs shall assist law-enforcement officers in responding to crisis situations involving persons with mental illness, substance abuse problems, or both. By November 1, 2008, the Department shall submit to the Joint Commission on Health Care a report outlining the plan for the program. The Department, in consultation with the Department of Mental Health, Mental Retardation and Substance Abuse Services, shall establish a training program for all persons involved in the crisis intervention team pilot programs. Each crisis intervention team shall develop a protocol that permits law-enforcement officers to release from custody persons whom they encounter in crisis situations when the crisis intervention team has determined the person is sufficiently stable. The Department shall evaluate and report annually to the Joint Commission on Health Care on the impact and effectiveness of the crisis intervention team pilot programs. | No Position |
| SB 18 (Edwards) | Mental health courts; pilot program. Directs the Office of the Executive Secretary of the Supreme Court to establish by January 1, 2009, no less than two and no more than five mental health courts in Virginia for nonviolent offenders with serious mental illnesses. | No Position |

Mental Health Records

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|--|--|------------------------|
| HB 782 (Kilgore) (similar to HB 1324, SB 97) | Mental health records; disclosure. Mandates disclosure of the subject of an involuntary commitment procedure's records to any magistrate, court, mental health examiner, community services board, or behavioral health authority, or law-enforcement officer involved in the proceeding, and provides civil immunity for the health entities making such disclosure. Also requires public colleges and universities to develop policies designating campus law-enforcement and health center employees as school officials with an educational interest in school records, for the purpose of facilitating disclosure under the Family and Educational Privacy Rights Act. | No Position |
| HB 815 (Albo) | Voluntary admission; report to CCRE. Adds to the section requiring reporting of involuntary commitment persons who were the subject of a temporary detention order and who subsequently agreed to voluntary commitment. | No Position |
| HB 1517 (Marsden) (similar to HB 535, HB 741, HB 1054, HB 1475, HB 1168, | Temporary detention orders; voluntary and involuntary mental health treatment; purchase of firearms; reporting to Central Criminal Records Exchange. Prohibits a person who is the subject of a temporary detention order and subsequently agrees to voluntary admission to a mental health facility from purchasing or possessing a firearm. The bill also clarifies existing law that prohibits a person who has been involuntarily committed to inpatient treatment or who is ordered to involuntary outpatient treatment | No Position |

| | | |
|--|--|--|
| SB 231 – all House Bills incorp into HB 815) | from purchasing or possessing a firearm. | |
|--|--|--|

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|--|--|--------------------|
| SB 97 (Lucas) (similar to HB 782, HB 1324) | Mental health records; disclosure. Mandates disclosure of the subject of an involuntary commitment procedure's health records to any magistrate, court, mental health examiner, community services board or behavioral health authority, or law-enforcement officer involved in the proceeding, whether the proceeding involves a minor, a criminal defendant, or other individual. | No Position |

Prevention/Programming

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|------------------------|---|-------------------------------|
| HB 209 (Cole) | Standards of Quality; support personnel. Requires each local school board to establish a collaborative agreement with a local law-enforcement agency to employ one full-time school resource officer for each school. | No Position |
| HB 1290 (Athey) | Restorative justice programs. Provides that courts may order offenders to be assessed for their suitability to enter a restorative justice program and, if found suitable, the offender may enter such a program. Restorative justice programs are intended to facilitate meetings or dialogues between victims of crime and the offenders, as well as other individuals and community members if appropriate, with the goal of addressing the needs of the victim and the community through agreements with the offenders addressing issues such as reparation, restitution, and community service. | Support With Amendment |
| SB 44 (Miller) | At-risk students; after school programs. Allows local school boards to establish after school programs designed to prevent at-risk youth from engaging in illegal or gang-related activities for students who attend elementary, middle, or high schools. To be eligible to attend one of these programs, a student must be enrolled in a public school in the relevant school division. State and local funds appropriated for educational purposes may be used to support such programs. | Support |

Truancy

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|------------------------|--|--------------------|
| HB 438 (Miller) | Learner's permits. Prohibits issuance of learner's permits to minors when the records of the school they attend show they have had more than five unexcused absences from school in the six months immediately preceding their application. | Oppose |
| HB 1263 (Hall) | Truancy and school dropout prevention. Provides that local school boards must implement school dropout prevention programs and services that include an emphasis on truancy prevention. The bill amends relevant Code sections pertaining to compliance with the compulsory school attendance law to strengthen the authority of local school boards. | No Position |

Underage Possession of Alcohol and Related

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|-----------------------------|--|--------------------|
| HB 719 (Janis) | Punishment for underage drinking and driving; penalty. Provides that "zero tolerance" (0.02% BAC) underage drinking and driving is punishable as a Class 1 misdemeanor. Currently, the punishment is loss of license for six months and a fine of no more than \$500. This bill provides for forfeiture of such person's license to operate a motor vehicle for a period of one year from the date of conviction and a mandatory minimum fine of \$250. Punishment set forth in the bill mimics punishment for DUI. | Oppose |
| HB 740 (Caputo) | Underaged drinking; deferred disposition; mitigation. Provides that an underaged drinker who summons law enforcement or medical assistance on behalf of another is eligible for deferred disposition of his case. The bill also provides that a person who provides alcohol to an underaged drinker shall have considered in mitigation the fact that he summoned law enforcement or medical assistance on behalf of another. | No Position |
| SB 507 (McDougle) | Punishment for underage drinking and driving; penalty. Provides that "zero tolerance" (0.02% blood alcohol concentration) underage drinking and driving is punishable as a Class 1 misdemeanor. Currently, the punishment is loss of license for six months and a fine of no more than \$500. This bill provides for forfeiture of such person's license to operate a motor vehicle for a period of not less than six months or more than a year from the date of conviction and either a mandatory minimum 50 hours of community service or a mandatory minimum fine of \$500. | Oppose |
| SB 601 (Norment) | Alcoholic beverages; underage possession. Changes the penalty for possession of alcoholic beverages by a person under age 21 to a Class 2 misdemeanor (confinement in jail for not more than six months and a fine of not more than \$1000, either or both) from a Class 1 misdemeanor (confinement in jail for not more than 12 months and a fine of not more than \$2,500, either or both). | No Position |

Miscellaneous

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|--|--|----------------|
| HB 1131 (Fralin) SB 315 (Edwards) | Office of the Children's Ombudsman. Creates the Office of the Children's Ombudsman to provide ombudsman services, including investigation of complaints, advocacy, and the provision of information for children, parents, and citizens involved with child-serving agencies. | Support |

Studies

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|------------------------------|---|----------------|
| HJ 107 (Armstrong) | Study; underage drinking. Requests the Department of Alcoholic Beverage Control to study underage drinking prevention programs. In conducting its study, the Department of Alcoholic Beverage Control shall identify programs and policies from other states targeted at preventing underage consumption of alcohol; review the effectiveness and cost of such programs and policies; and recommend programs and policies that would help prevent underage consumption of alcohol in Virginia. | Support |
| HJ 113 (Moran) | Study; juvenile justice; Virginia State Crime Commission. Directs the Commission to continue its study of juvenile justice. | Support |
| HJ 160 | Study; juvenile justice system; report. Provides for a two-year study of the | Oppose |

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|---------------|--|--------------------|
| (Phillips) | juvenile justice system and how to make it more effective at protecting society and rehabilitating juveniles. | |
| HJ 179 (Hall) | Study; chronic truancy and dropout prevention; report. Requests the Board of Education to study the need for and ways of improving the coordination between chronic truancy and dropout prevention in Virginia. In conducting its study, the Board of Education shall, among other things, (i) review state laws and its policies relating to the enforcement of compulsory school attendance, truancy, and dropout prevention for consistency and clarity; (ii) evaluate the need for and duties of school attendance officers as provided by state law, and the need for conformity in statutory requirements pertaining to school attendance officers; (iii) evaluate the need to clarify and enhance the responsibilities of division superintendents to enforce compulsory school attendance laws; (iv) assess factors related to the causes of academic underachievement, chronic truancy, and school dropout and determine whether, and under what conditions, such students should also be considered "children in need of services" for compulsory school attendance purposes; (v) consider the need and efficacy of defining "truancy" and "chronic truancy" in the Code of Virginia; and (vi) recommend to the General Assembly such changes to state law and public policies, including funding, and such other initiatives as the Board may deem appropriate and necessary to effect a comprehensive approach to chronic truancy and dropout prevention. The Board must submit its findings and recommendations to the 2009 Session of the General Assembly. | No Position |
| SJ 42 (Lucas) | Study; mental health; report. Establishes a joint subcommittee to receive and review recommendations of the Chief Justice's Commission on Mental Health Law Reform, the Virginia Tech Review Panel, the Office of the Inspector General for the Department of Mental Health, Mental Retardation and Substance Abuse Services, and any other committee, commission, group, or individual with recommendations for, and any legislation submitted to the General Assembly related to, the reform of the Commonwealth's process for involuntary commitment specifically and the system of mental health services generally. | No Position |
| SJ 45 (Locke) | Study; juvenile transfers; report. Requests the Advisory Committee on Juvenile Justice to study the process of determining whether a juvenile should be tried as an adult. | No Position |
| SJ 46 (Marsh) | Study; continuing the study of the mental health needs and treatment of minority young adults in the Commonwealth; report. Directs the Joint Commission on Health Care to continue its study of the mental health needs and treatment of young minority adults in the Commonwealth. In conducting the study, the Joint Commission on Health Care shall continue, among other things, to (i) estimate the number of mentally disabled young adults by gender, age, and racial and ethnic classification, in the geographical regions of the Commonwealth; (ii) identify the prevailing mental health and emotional disorders and their etiology among minority young adults; (iii) identify the mental health needs of minority citizens, particularly minority young adults in Virginia; (iv) determine whether mental health care providers are trained to provide culturally competent mental health treatment; (v) assess the need for culturally competent mental health treatment in Virginia; and (vi) review federal and state laws and regulations governing the confidentiality of health care, mental health treatment, and medical records. The Commission must | No Position |

| Bill Number | Bill Summary (copied from the Legislative Information System) | Position |
|------------------------|---|--------------------|
| | submit its findings and recommendations to the 2009 Regular Session of the General Assembly. | |
| SJ 77 (Hanger) | Study; substance abuse and prevention programs. Creates a joint subcommittee to study strategies and models for substance abuse prevention and treatment that effectively reduce the costly service demands created by substance abuse. In conducting its study, the joint subcommittee shall (i) identify and characterize the nature of substance abuse in the Commonwealth; (ii) identify current state policies and programs targeting substance abuse prevention and treatment; (iii) examine the cost of such policies and programs to the Commonwealth; (iv) identify and examine policies and prevention programs from other leading states in the field of substance abuse and prevention; and (v) benchmark the Commonwealth's substance abuse prevention and treatment programs and policies against those of the leading states. | No Position |
| SJ 90 (Norment) | Study; restorative justice; report. Directs the Virginia State Crime Commission to study restorative justice and specifically, victim-offender reconciliation programs. | No Position |

VI. New JABG Solicitation Proposal

DCJS has JABG money available for new grants. However, instead of our typical “seed money” grants, Staff is proposing a new JABG solicitation that invites applications for “sustainability grants.” Since we have heard that many localities are reluctant to apply for grants that require them to provide funds in order to sustain these projects in the future, and since we’ve heard of funds drying up in other arenas, we’d like to change our solicitation in a way that recognizes this. Additionally, since the future of JABG funds is always questionable, this would allow us to offer new money to localities without requiring them to make a long-term commitment. We would invite proposals from localities that do not require start-up costs. We might, for example, invite a drug court program that was not appropriate in response to the last solicitation to come in for funding for one or two years in order to allow them to stay afloat while they search for a more stable source of funding. We might invite localities to apply for grants to help them evaluate existing initiatives, find ways to creatively market initiatives, or figure out how to turn cost-savings into funds for juvenile justice initiatives, etc.

The Chair made a motion to accept the staff’s recommendation. The motion was seconded and approved unanimously.

VII. Report of Models for Change Technical Assistance Session

Mr. Chapman gave a briefing on the Models for Change Conference. Ms. Gina Wood, Mr. Chapman, Ms. Ashaki McNeil and Ms. Neadie Lee attended. The conference was to acquaint individuals with the nature of the problem and the extent of work being done around the country for DMC. Part of the conference was a facilitated discussion with an expert on what we could do in Virginia now and in the future. We are to become well acquainted with Newport News and Norfolk to understand what they are doing and the results of their actions and possible recommendations for other localities that work.

One session focused on the efforts with the faith based community and work with DMC and School Resource Officers to acquaint them with the issues. It would be timely for there to be

training of law enforcement across the state. There was some discussion about the DMC Conference held at Virginia State University with the hope that similar activities would continue to provide information and training regarding DMC. It was suggested that staff include this as a track within the JJDP Conference.

VIII. Solicitation of Spirit of Youth Award Nominations

The nomination form for the Virginia Spirit of Youth was distributed. Input was requested from ACJJ members as to where this solicitation should be disseminated in order to get it out to more individuals. Mr. Martin suggested that the ACJJ members concentrate on using their own networks. Ms. Ruby Turner suggested the form be distributed to the Youth for Social Change. Ms. Greenfield suggested submitting to CSU and staff in our facilities as a lot of the kids still keep in touch with them. Members agreed to disseminate far and wide to their own contacts.

IX. Advisory Committee Member Activity Reports

There was some discussion on the dates and location of the 2008 JJDP Conference.

Copies of the Data Resource Guide were made available to members.

Ms. Brown discussed the Governor's budget and noted that there is an amendment to fund the prisoner reentry program from the policy academy. The Department of Social Services has been working on the program for about 3 years with no funding. This will indirectly impact juveniles. Ms. Brown suggested to those members that have an interest in this to contact legislators in support of this amendment.

Ms. Wood thanked the committee for her letter of support for the National Coalition on Juvenile Justice. The Coalition is working on reconfiguring itself. As well, the Coalition has an annual conference in DC in the spring, and Ms. Wood recommended other members attend. Ms. Wood announced that the Coalition is still looking for a youth member and Ms. Wood was recommending Mr. Andrew Jennings as a possibility.

Ms. Grey recently attended a federal OJJDP council meeting in Washington, D.C. The meetings are held quarterly and there is no cost to attend. She recommended these meetings to the other members.

VII. Adjourn

A motion was made by Mr. Martin to adjourn at 3:10pm. The motion was seconded and approved unanimously.